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JUN 28 2006  
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| APPLICATION NO.               | FILING DATE | NAME OF INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-------------------------------|-------------|------------------|---------------------|------------------|
| 09/955,438                    | 09/19/2001  | Mikio Ihama      | 0042-0455P-SP       | 9440             |
| 2292                          | 7590        | 04/21/2006       | EXAMINER            |                  |
| BIRCH STEWART KOLASCH & BIRCH |             |                  | WALKE, AMANDA C     |                  |
| PO BOX 747                    |             |                  | ART UNIT            | PAPER NUMBER     |
| FALLS CHURCH, VA 22040-0747   |             |                  | 1752                |                  |

DATE MAILED: 04/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



## Office Action Summary

|                 |              |  |
|-----------------|--------------|--|
| Application No. | Applicant(s) |  |
| 09/955,438      | IHAMA ET AL. |  |
| Examiner        | Art Unit     |  |
| Amanda C. Walke | 1752         |  |

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address -

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) Responsive to communication(s) filed on 30 January 2006.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) Claim(s) 1-9, 13-17, 20, 23 and 25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1, 3, 4, 6, 7, 9, 13, 15-17, 20, 23 and 25 is/are rejected.
- 7) Claim(s) 2, 5, 8 and 14 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

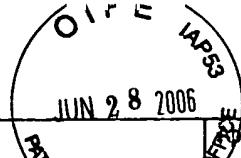
- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    - a) All    b) Some \* c) None of:
      1. Certified copies of the priority documents have been received.
      2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
      3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |



JUN 28 2006

|                                   |  |                                       |   |             |
|-----------------------------------|--|---------------------------------------|---|-------------|
| <b>Notice of References Cited</b> |  | Application/Control No.<br>09/955,438 | Applicant(s)/Patent Under Reexamination<br>IHAMA ET AL. |             |
|                                   |  | Examiner<br>Amanda C. Walke           | Art Unit<br>1752  | Page 1 of 1 |

**U.S. PATENT DOCUMENTS**

| * |   | Document Number<br>Country Code-Number-Kind Code | Date<br>MM-YYYY | Name             | Classification |
|---|---|--|-----------------|------------------|----------------|
| * | A | US-6,432,626                                     | 08-2002         | Sugimoto et al.  | 430/567        |
| * | B | US-5,534,399                                     | 07-1996         | Mihayashi, Keiji | 430/553        |
|   | C | US-  |                 |                  |                |
|   | D | US-  |                 |                  |                |
|   | E | US-  |                 |                  |                |
|   | F | US-  |                 |                  |                |
|   | G | US-  |                 |                  |                |
|   | H | US-  |                 |                  |                |
|   | I | US-  |                 |                  |                |
|   | J | US-  |                 |                  |                |
|   | K | US-  |                 |                  |                |
|   | L | US-  |                 |                  |                |
|   | M | US-  |                 |                  |                |

**FOREIGN PATENT DOCUMENTS**

| * |   | Document Number<br>Country Code-Number-Kind Code | Date<br>MM-YYYY | Country | Name | Classification |
|---|---|--|-----------------|---------|------|----------------|
|   | N |  |                 |         |      |                |
|   | O |  |                 |         |      |                |
|   | P |  |                 |         |      |                |
|   | Q |  |                 |         |      |                |
|   | R |  |                 |         |      |                |
|   | S |  |                 |         |      |                |
|   | T |  |                 |         |      |                |

**NON-PATENT DOCUMENTS**

| * |   | Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages |
|---|---|--|
|   | U |  |
|   | V |  |
|   | W |  |
|   | X |  |

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.